

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01728-CJN**

ALLIED PROGRESS v. OFFICE OF MANAGEMENT AND
BUDGET et al

Assigned to: Judge Carl J. Nichols

Demand: \$0

Cause: 05:552 Freedom of Information Act

Plaintiff

ALLIED PROGRESS

Date Filed: 07/25/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

represented by **John E. Bies**
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 869-5243
Fax: (202) 871-6523
Email: john.bies@americanoversight.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth France
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 897-2465
Fax: (202) 871-6523
Email: beth.france@americanoversight.org
TERMINATED: 10/22/2019

Daniel Alexander McGrath
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 897-4213
Email: daniel.mcgrath@americanoversight.org
ATTORNEY TO BE NOTICED

V.

Defendant

**OFFICE OF MANAGEMENT AND
BUDGET**

represented by **Scott Leeson Sroka**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7113
Fax: (202) 252-2599
Email: scott.sroka@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**CONSUMER FINANCIAL
PROTECTION BUREAU
TERMINATED: 10/21/2019**

represented by **Scott Leeson Sroka**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/25/2018	<u>1</u>	COMPLAINT against CONSUMER FINANCIAL PROTECTION BUREAU, OFFICE OF MANAGEMENT AND BUDGET (Filing fee \$ 400 receipt number 0090-5603365) filed by ALLIED PROGRESS. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Exhibit Ex A, # <u>7</u> Exhibit Ex B, # <u>8</u> Exhibit Ex C, # <u>9</u> Exhibit Ex D)(McGrath, Daniel) (Entered: 07/25/2018)
07/26/2018		Case Assigned to Judge Tanya S. Chutkan. (zsb) (Entered: 07/26/2018)
07/26/2018	<u>2</u>	SUMMONS (4) Issued Electronically as to CONSUMER FINANCIAL PROTECTION BUREAU, OFFICE OF MANAGEMENT AND BUDGET, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 07/27/2018)
07/30/2018	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ALLIED PROGRESS (McGrath, Daniel) (Entered: 07/30/2018)
08/06/2018	<u>4</u>	NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 08/06/2018)
08/16/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/30/2018. Answer due for ALL FEDERAL DEFENDANTS by 8/29/2018. (Attachments: # <u>1</u> Exhibit Ex A)(McGrath, Daniel) (Entered: 08/16/2018)
08/16/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/6/2018. RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CONSUMER FINANCIAL PROTECTION BUREAU served on 8/3/2018; OFFICE OF MANAGEMENT AND BUDGET served on 8/6/2018. (See Docket Entry <u>5</u> to view document). (tth) (Entered: 08/20/2018)
08/29/2018	<u>7</u>	ANSWER to Complaint by CONSUMER FINANCIAL PROTECTION BUREAU, OFFICE OF MANAGEMENT AND BUDGET.(Sroka, Scott) (Entered: 08/29/2018)
10/18/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order no later than 11/15/18. Signed by Judge Tanya S. Chutkan on 10/18/18. (DJS) (Entered: 10/18/2018)
10/22/2018		Set/Reset Deadlines: Joint Status Report due by 11/15/2018. (tb) (Entered: 10/22/2018)
11/15/2018	<u>8</u>	Joint STATUS REPORT by ALLIED PROGRESS. (McGrath, Daniel) (Entered: 11/15/2018)
11/27/2018		MINUTE ORDER: Having considered the parties' Joint Status Report, it is hereby ordered that the parties shall file another joint report by December 14, 2018. The joint report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 11/27/18. (DJS) (Entered: 11/27/2018)
11/28/2018		Set/Reset Deadlines: Joint Status Report due by 12/14/2018. (tb) (Entered: 11/28/2018)
12/14/2018	<u>9</u>	Joint STATUS REPORT by CONSUMER FINANCIAL PROTECTION BUREAU, OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # <u>1</u> Text of Proposed Order)(Sroka, Scott) (Entered: 12/14/2018)

12/17/2018		MINUTE ORDER: Having considered the parties' joint status report <u>9</u> , it is hereby ordered that the parties shall file another joint report and proposed order by January 30, 2019 Signed by Judge Tanya S. Chutkan on 12/17/18.(DJS) (Entered: 12/17/2018)
12/19/2018		Set/Reset Deadlines: Joint Status Report due by 1/30/2019. (tb) (Entered: 12/19/2018)
01/23/2019	<u>10</u>	MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by CONSUMER FINANCIAL PROTECTION BUREAU, OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/23/2019)
01/30/2019	<u>11</u>	Joint STATUS REPORT by ALLIED PROGRESS. (Attachments: # <u>1</u> Text of Proposed Order)(McGrath, Daniel) (Entered: 01/30/2019)
01/30/2019		MINUTE ORDER finding as moot <u>10</u> Motion to Stay. Having considered the parties Joint Status Report <u>11</u> , it is hereby ordered that the parties confer regarding the OMB FOIA request 2018-398 by February 15, 2019 and file a further Joint Status Report with this Court on or before March 6, 2019. The status report shall contain a proposed order. Signed by Judge Tanya S. Chutkan on 1/30/19. (DJS) (Entered: 01/30/2019)
02/07/2019		Set/Reset Deadlines: Attorney Meet and Confer by 2/15/2019. Joint Status Report due by 3/6/2019. (tb) (Entered: 02/07/2019)
03/06/2019	<u>12</u>	Joint STATUS REPORT by ALLIED PROGRESS. (Attachments: # <u>1</u> Text of Proposed Order)(McGrath, Daniel) (Entered: 03/06/2019)
03/14/2019		MINUTE ORDER: Having considered the parties' joint status report <u>12</u> , it is hereby ordered that the parties shall file another joint report by April 10, 2019 and every 30 days thereafter. To the extent the report contains a proposed production or briefing schedule, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 3/14/19.(DJS) (Entered: 03/14/2019)
03/15/2019		Set/Reset Deadlines: Joint Status Report due by 4/10/2019. (tb) (Entered: 03/15/2019)
04/10/2019	<u>13</u>	Joint STATUS REPORT by CONSUMER FINANCIAL PROTECTION BUREAU, OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 04/10/2019)
05/08/2019	<u>14</u>	Joint STATUS REPORT by ALLIED PROGRESS. (Attachments: # <u>1</u> Text of Proposed Order Defendants', # <u>2</u> Text of Proposed Order Plaintiff's)(McGrath, Daniel) (Entered: 05/08/2019)
05/17/2019		MINUTE ORDER: Upon consideration of the Parties' Joint Status Report <u>14</u> , it is hereby ORDERED that OMB shall make its next interim production of 90 pages of calendar records on or before May 22, 2019, and shall continue making such productions on a monthly rolling basis until production of the calendar information is complete. It is further ORDERED that Defendant shall begin processing email records potentially responsive to Request 18-398 by July 19, 2019 at a rate of approximately 300 records per month, and begin releasing responsive email records by August 19, 2019. It is further ORDERED that the Parties shall file a further Joint Status Report with the court on or before June 10, 2019. Signed by Judge Tanya S. Chutkan on 5/17/2019. (lctsc3) (Entered: 05/17/2019)
05/17/2019		Set/Reset Deadlines: Joint Status Report due by 6/10/2019. (tb) (Entered: 05/17/2019)
05/22/2019		MINUTE ORDER: The parties' Joint Status Report, see 5/17/19 Min. Order, shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 5/22/19. (DJS) (Entered: 05/22/2019)
06/07/2019	<u>15</u>	Joint STATUS REPORT by ALLIED PROGRESS. (McGrath, Daniel) (Entered: 06/07/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Tanya S. Chutkan is no longer assigned to the case. (rj) (Entered: 06/24/2019)
07/09/2019	<u>16</u>	Joint STATUS REPORT by ALLIED PROGRESS. (McGrath, Daniel) (Entered: 07/09/2019)
08/09/2019	<u>17</u>	Joint STATUS REPORT by ALLIED PROGRESS. (McGrath, Daniel) (Entered: 08/09/2019)

08/13/2019		MINUTE ORDER. In light of the Parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by September 8, 2019, per the Court's March 14, 2019 Order. Signed by Judge Carl J. Nichols on August 13, 2019. (lccjn1) (Entered: 08/13/2019)
08/13/2019		Set/Reset Deadlines: Additional Joint Status Report due by 9/8/2019. (mac) (Entered: 08/13/2019)
09/09/2019	<u>18</u>	Joint STATUS REPORT by ALLIED PROGRESS. (McGrath, Daniel) (Entered: 09/09/2019)
09/11/2019		MINUTE ORDER. In light of the Parties' <u>18</u> Joint Status Report, and consistent with the Court's March 14, 2019 Order, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before October 9, 2019. Signed by Judge Carl J. Nichols on September 11, 2019. (lccjn3) (Entered: 09/11/2019)
09/11/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/9/2019. (zcdw) (Entered: 09/12/2019)
09/11/2019		ENTERED IN ERROR.....Set/Reset Deadlines/Hearings: Joint Status Report due by 11/8/2019. (zcdw) Modified text on 9/12/2019 (zcdw). (Entered: 09/12/2019)
09/12/2019		NOTICE OF CORRECTED DOCKET ENTRY: The 11/8/2019 status report deadline was erroneously entered. Please disregard. (zcdw) (Entered: 09/12/2019)
10/08/2019	<u>19</u>	Joint STATUS REPORT by ALLIED PROGRESS. (McGrath, Daniel) (Entered: 10/08/2019)
10/21/2019	<u>20</u>	NOTICE of Voluntary Dismissal re Consumer Financial Protection Bureau (McGrath, Daniel) (Entered: 10/21/2019)
10/22/2019	<u>21</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ALLIED PROGRESS. Attorney Elizabeth France terminated. (France, Elizabeth) (Entered: 10/22/2019)